

**MEMORIAL RESOLUTIONS**

**S.R. 25** - by Doggett: Memorial resolution for Mary Ireland (Miggie) Graves Dougherty.

**S.R. 27** - by Doggett: Memorial resolution for Wolf Jessen.

**WELCOME AND CONGRATULATORY RESOLUTIONS**

**S.R. 17** - by Clower: Extending welcome to T. C. and Melba Pouland.

**S.R. 18** - by Aikin: Extending welcome to Mrs. Robert Moreton.

**S.R. 19** - by Clower: Extending welcome to Hugh Grandstaff and Terry Turner.

**S.R. 20** - by Schwartz: Extending welcome to Vincent Uher, and designating as Honorary Page for the day.

**S.R. 21** - by Schwartz: Extending welcome to Meredith Uher, and designating as Honorary Page for the day.

**S.R. 22** - by Schwartz: Extending welcome to Victor Uher, and designating as Honorary Page for the day.

**S.R. 23** - by Jones of Harris: Extending welcome to Laura Brooks, and designating as Honorary Page for the day.

**S.R. 24** - by Brooks: Extending welcome to Kelly Batson, and designating as Honorary Page for the day.

**S.R. 26** - by Doggett: Extending congratulations to Azie Taylor Morton.

**ADJOURNMENT**

On motion of Senator Aikin the Senate at 3:30 o'clock p.m. adjourned until 10:30 o'clock a.m. Monday, July 18, 1977.

**FOURTH DAY**

(Monday, July 18, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Aikin, Andujar, Braecklein, Brooks, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Lombardino, Longoria, McKnight, Meier, Mengden, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.

Absent-excused: Adams, Clower, Kothmann, Mauzy, Moore.

A quorum was announced present.

Senator Ray Farabee offered the invocation as follows:

Our Father, we thank Thee for this state, for our right to come here and for the traditions in which we have to make judgments. Be with us in all that we do, for we ask it in Thy name. Amen.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Friday, July 15, 1977, was dispensed with and the Journal was approved.

### LEAVES OF ABSENCE

Senator Mauzy was granted leave of absence for today on account of official state business on motion of Senator Schwartz.

Senator Kothmann was granted leave of absence for today on account of death in family on motion of Senator Lombardino.

Senator Moore was granted leave of absence for today on account of important business on motion of Senator McKnight.

Senator Adams was granted leave of absence for today on account of important business on motion of Senator Jones of Taylor.

Senator Clower was granted leave of absence for today on account of important business on motion of Senator Doggett.

### SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time and referred to the Committee indicated:

**S.B. 10** by Adams, Jones of Harris Human Resources  
Relating to the protection of persons under the care of nursing and convalescent homes; providing a penalty; amending Chapter 22, Penal Code, by adding a Section 22.09.

**S.B. 11** by Doggett Finance  
Relating to assets and liabilities of an abolished state agency or advisory committee; amending Subsections (c), (e), and (f), Section 1.17, Senate Bill No. 54, Acts of the 65th Legislature, Regular Session, 1977.

**S.J.R. 1** by Jones of Taylor, Farabee Finance  
Proposing an amendment to Article VIII of the Texas Constitution to repeal mandatory ad valorem taxation of intangible property and to authorize the appraisal of farm or ranch land for ad valorem tax purposes on the basis of the productive potential of the land.

**S.J.R. 2** by Patman Finance

Proposing an amendment to the Texas Constitution to authorize separate appraisal formulas to promote preservation of open-space land devoted to farm, ranch, and forest purposes.

### MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was filed with the Secretary of the Senate:

#### TO THE MEMBERS OF THE 65TH LEGISLATURE, FIRST CALLED SESSION:

Pursuant to Proclamation 41-1632, Section 2, issued by me on the 8th day of July, 1977, I hereby submit as an additional subject for consideration in the First Called Session, and ask the enactment of legislation:

1. authorizing the Governor to determine the need for a public deepwater port if a private facility is not built, the creation, administration, powers and duties of the Texas Deepwater Port Authority; preserving Texas' claim to its tidelands and coastline; and for only the purposes herein expressed and providing for repayment of said appropriation;
2. authorizing the participation in the National Flood Insurance Program;
3. pertaining to assets and liabilities of an abolished state agency or advisory committee pursuant to Senate Bill No. 54, Acts of the 65th Legislature, Regular Session, 1977, including:
  - a. provision for the designation by the Governor of an appropriate state agency to carry out covenants contained in bonds and the proceedings authorizing such bonds outstanding on the date of abolition of any state agency and to provide payment of such bonds from the sources provided in such bonds in accordance with their terms;
  - b. provision assuring holders of bonds outstanding on the date of abolition of any agency issuing such bonds of the intention of the Legislature that the payment of such bonds in accordance with the terms of such bonds not be impaired or impeded, and that such bonds remain valid and enforceable in accordance with their terms and the laws and proceedings authorizing such bonds notwithstanding abolition of the agency which issued the bonds, and
  - c. provision for transfer of property, and records, to the appropriate state agency designated by the Governor and provision for retention of funds by the State Treasurer or previously designated trustees, if so provided in the proceedings authorizing such bonds, and if not so provided, then provision for transfer of such funds to the designated state agency.

Issued on July 15, 1977

At 3:30 p.m.

Respectfully submitted,  
Dolph Briscoe  
Governor of Texas

### SENATE RESOLUTION 28

Senator McKnight offered the following resolution:

WHEREAS, The date of July 17 is a day of special importance to the Texas Senate inasmuch as it is the birthdate of our esteemed colleague from Galveston; and

WHEREAS, Senator A. R. "Babe" Schwartz, third in seniority in the Texas Senate, and a recent Zayda, celebrated his 51st birthday yesterday; and

WHEREAS, The members of the Texas Senate desire to extend Mazel Tov on this happy occasion to Senator A. R. "Babe" Schwartz and best wishes for many more; now, therefore, be it

RESOLVED, That the Senate of the 65th Legislature, 1st Called Session, hereby congratulate Senator A. R. "Babe" Schwartz on the celebration of his 51st birthday; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for him under the seal of the Senate as a symbol of the esteem of his colleagues and an expression of their wishes for continued good health and happiness. Geh Mit Guten.

The resolution was read and was adopted.

On motion of Senator Parker and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereto.

#### **SENATE RULE 103 SUSPENDED**

On motion of Senator Brooks and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Human Resources might consider S.B. 9 and S.B. 10 today.

#### **SENATE RULE 103 SUSPENDED**

On motion of Senator Aikin and by unanimous consent, Senate Rule 103 was suspended in order that the Committee on Finance might consider S.B. 11 today.

#### **RESOLUTIONS SIGNED**

The President announced the signing in the presence of the Senate after the caption had been read, the following enrolled resolutions:

S.C.R. 5

S.C.R. 4

#### **CO-AUTHORS OF SENATE BILL 9**

On motion of Senator Brooks and by unanimous consent, Senators Truan and Jones of Harris will be shown as Co-authors of S.B. 9.

#### **EXECUTIVE SESSION**

On motion of Senator McKnight and by unanimous consent, the Senate suspended Senate Rule 41 in order to hold an Executive Session.

#### **NOMINEE CONFIRMED**

Senator McKnight moved confirmation of Charles W. Barrow to be Associate Justice of the Supreme Court.

Judge Barrow was confirmed by the following vote: Yeas 26, Nays 0.

Absent-excused: Adams, Clower, Kothmann, Mauzy, Moore.

#### **AT EASE**

The President at 10:52 o'clock a.m. announced the Senate would Stand At Ease Subject to Call of the Chair.

#### **IN LEGISLATIVE SESSION**

The Senate met at 12:23 o'clock p.m. and was called to order as In Legislative Session by the President.

#### **REPORT OF STANDING COMMITTEE**

By unanimous consent, Senator Aikin submitted the following report for the Committee on Finance:

**S.B. 11**

**C.S.S.B. 7** (Read first time)

#### **WELCOME AND CONGRATULATORY RESOLUTIONS**

**S.R. 29** - by Longoria: Extending congratulations to Constantino Zarate.

**S.R. 30** - by Brooks: Extending welcome to Victoria L. Stone.

#### **ADJOURNMENT**

On motion of Senator Traeger the Senate at 12:24 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow in memory of Wilkes J. Kothmann, father of Senator Glenn Kothmann.

#### **FIFTH DAY**

(Tuesday, July 19, 1977)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Aikin, Andujar, Bracklein, Brooks, Clower, Creighton, Doggett, Farabee, Hance, Harris, Jones of Harris, Jones of Taylor, Lombardino, McKnight, Meier, Mengden, Moore, Ogg, Parker, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Truan, Williams.